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30 July 1952

MEMORANDUM FOR: Assistant Deputy Director (Administration)

FROM : Director of Training

SUBJECT : Determination of Work Week Applicable to Personnel
Assigned to Certain Training Facilities and/or Courses.

1. PROBLEM.

To state Agency policy with regard to (a) Overtime Compensation, (b) Compensatory Leave, (c) Holiday Pay, and (d) Night Differential as applicable to employees participating in Agency-sponsored training activities.

2. ASSUMPTIONS.

(a) That even though Agency-sponsored training programs are authorized and conducted for the benefit of the Agency, the participating individual employee derives substantial personal benefits in return for which he should be expected to spend whatever time is required to complete the course of study with maximum attainment.

(b) That (1) applicable general statutes are permissive rather than mandatory, or, (2) that CIA is exempt from the provisions of such general statutes by virtue of the several organic acts applicable to it. (See Attachment A)

3. FACTS BEARING ON THE PROBLEM.

A. Employees are now participating in courses at various public and private institutions, both foreign and domestic, in addition to those conducted by the Agency at its own facilities.

Some of the courses require full-time participation by employees with the result that the individuals are relieved of all normal duties and responsibilities during the period of training.

Other courses require less than full-time participation and are undertaken partly during and partly outside official working hours or entirely in addition to normal duties and outside official working hours.

B. Some Offices have requested overtime compensation for employees for hours spent in training in addition to normal duties and outside official working hours.

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C. One Office customarily authorizes overtime compensation for those of its employees who are students in a TR(S) course which regularly involves field problems extending beyond the normal official work day and work week.

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D. Current Agency policy is silent as to the problem here presented. See CIA Regulation [REDACTED]

4. DISCUSSION.

Training is provided to satisfy a wide variety of Agency requirements and can only be available under a wide variety of conditions and circumstances. Thus, courses now conducted by the Agency at its own facilities or under its immediate control range from one half of a normal work day -- in the case of the Indoctrination Course given new employees -- to four weeks, of which two are spent in a twenty-four a day, seven days a week "field" problem, in the case of the Survival Course.

Similarly, training sponsored by the Agency and conducted by public or private institutions is subject to infinite variety as to hours of attendance required, hours of study and research required, etc. Thus, as a practical matter, it is almost impossible to so administer the variables as to achieve an exact forty-hour week made up of proportions of class time and study and suitable to the particular requirements of individual students. If overtime compensation should be encouraged, it would enrich the laggard but would be of little or no advantage to his more able fellow employee.

5. CONCLUSIONS.

Consistent with the objectives of simplicity, efficiency, and equality of administration, Agency policy should be that

(a) hours spent in Agency-sponsored training activities shall be considered as working hours in determining whether an employee has worked the official work week of forty hours but may not be considered as working hours for purposes of overtime pay and/or compensatory leave.

(b) hours spent in Agency-sponsored training activities may not be considered as working hours for purposes of night differential.

(c) employees participating full time in training activities sponsored by, but not controlled by, the Agency and who have been relieved of normal duties for that purpose, shall

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comply with the applicable academic calendar and the laws of the jurisdiction in which located insofar as Holidays are concerned and in lieu of Legal Holidays otherwise applicable to employees.

(d) requests for exception to these policies will be forwarded through normal channels to the Director of Training for recommendation and concurrence and to the Deputy Director (Administration) for approval

6. ACTION RECOMMENDED.

It is recommended that policies proposed in Paragraph 5 be adopted and that such policies be incorporated into the CIA Regulations.

/s/ Baird
Director of Training

Attachment A
Concurrence:

/s/ Baird
A AD (Personnel)

/s/ Saunders 8/6
Comptroller

/s/ [REDACTED] 8/8
General Counsel

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ACTION BY APPROVING AUTHORITY:

Approved (disapproved), exceptions, if any.

L. K. WHITE
Assistant Deputy Director
(Administration)

MB:JER/jhe
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